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March 14, 2017

VIA ECF

Honorable Leonard D. Wexler
United States District Court,
Eastern District of New York
944 Federal Plaza
Central Islip, New York 11722

Re: Government Employees Ins. Co., et al. v. Rockville Centre Diagnostic Imaging, P.C., et al.
Docket No. 17-cv-00734 (LDW)(SIL)
RR File No.: 005100-02028

Dear Judge Wexler:

We represent Plaintiffs Government Employees Insurance Co., GEICO Indemnity Co., GEICO General Insurance Company, and GEICO Casualty Co. (collectively "Plaintiffs" or "GEICO") in the above-referenced matter. We write in response to the Letter Motion filed by Rockville Centre Diagnostic Imaging, P.C. and Daniel Schlusberg, M.D. (collectively "Defendants") seeking an extension of time to respond to the Complaint in this action.

My office was contacted via email last night, March 14, 2017, at 11:32 p.m. by counsel for the Defendants requesting an extension of time to respond to the Complaint. The Defendants' motion was filed with the Court six minutes later at 11:38 p.m. The parties have obviously had no opportunity to engage in a good-faith effort to resolve this matter, as required by Local Civil Rule 37.3. The Defendants' time to respond to the Complaint has expired, and the Defendants have failed to provide any reason for their inability to timely respond. See Docket Nos. 12-13, 18.

Nevertheless, the Plaintiffs consent to the April 13, 2017 extension as requested by Defendants' counsel, subject to approval by the Court.

We appreciate the Court's attention to this matter.

Respectfully submitted,

RIVKIN RADLER LLP

/s/ Joshua D. Smith

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March 14, 2017

Page 2

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